

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:09CR3072
	)	
V.	)	
	)	MEMORANDUM
JEMAIN LARON SIDNEY,	)	AND ORDER
	)	
Defendant.	)	
_____	)	

Counsel and I conferred today regarding Senate Bill 1789 and the possibility that if that bill is passed by Congress, it might lower the statutory minimum that might otherwise apply to Mr. Sidney. Counsel for the defendant told me that he had conferred with Mr. Sidney and Mr. Sidney requested a continuance. The government objected to such a continuance.

It appears likely that if Senate Bill 1789 is accepted by the House of Representatives, the defendant would not face a statutory minimum of 10 years; rather, would face a statutory minimum of 5 years. That is, Mr. Sidney is being held responsible for 253 grams of crack cocaine and, under Senate Bill 1789, that sum would be below the 10-year statutory minimum threshold of 280 grams. Under these circumstances,

IT IS ORDERED that:

- (1) Sentencing is continued until further order of the court.
- (2) My judicial assistant shall arrange a telephone conference with counsel in approximately 90 days to discuss the status of this case and Senate Bill 1789.

DATED this 3<sup>rd</sup> day of May, 2010.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge